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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/537,506	03/29/2000	Judith Continelli	10655.9400	6236

7590 09/12/2006

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EXAMINER

BACKER, FIRMIN

ART UNIT PAPER NUMBER

3621

DATE MAILED: 09/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/537,506

Applicant(s)

CONTINELLI ET AL.

Examiner

FIRMN BACKER

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 47-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 47-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 28th, 2006 has been entered.

Amendment

2. An amendment has been filed with the RCE on June 28th, 2006
3. Claims 47, 50, 51 and 53-55 have been amendment
4. No claim has been canceled
5. No claim has been added
6. Claims 47-55 remain pending in the application.

Response to Arguments

7. Applicant's arguments with respect to claims 47-55 have been considered but are moot in view of the same ground(s) of rejection.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 47-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Israel et al (U.S. PG Pub no. 2004/0210540) in view of Atsmon et al (U.S. Patent No. 6,607,136).

10. As per claim 47, Isreal et al teach a method, implemented on a computer network, for facilitating the manual input of information into a plurality of electronic documents selected from a discrete set of electronic templates, for the purpose of streamlining the resolution of a financial dispute relating to a transaction card transaction, the method comprising the steps of: performing a purchase transaction between a cardmember and a merchant using a transaction card issued to the cardmember by an Issuer, thereafter providing notice by the cardmember to the Issuer that the cardmember disputes the purchase transaction; the Issuer initiating, in response to the notice from the cardmember, a predetermined resolution protocol, wherein the purpose of the protocol is to resolve an ensuing dispute between the Issuer and an Acquirer with respect to a backend processing transaction associated with the purchase transaction, and further wherein the backend transaction involves the Acquirer collecting money from the cardmember and coordinating payment to the merchant for the purchase transaction in accordance with a preexisting backend processing agreement between the Issuer and the Acquirer', wherein the resolution protocol comprises selecting, by the Issuer, from a discrete, predetermined set of electronic dispute resolution templates, a first template, inputting into the first template, by the Issuer, information relating to the disputed purchase transaction to thereby generate from the first template a first issuer form; electronically transmitting the first issuer form from the issuer to the Acquirer; successively selecting additional ones of the templates, by the Issuer and the Acquirer,

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respectively, to thereby generate additional issuer and Acquirer forms; and electronically exchanging the additional issuer and acquirer forms in accordance with the resolution protocol, and resolving the backend transaction dispute between the issuer and the Acquirer using the issuer forms and the Acquirer form; and in accordance with the resolution protocol (*see paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151*). Isreal et al fail to teach a system comprising a issuer dispute resolution form and an acquirer dispute resolution form to be selected by a user having issuer access right. However, Atsmon et al teach a system comprising a issuer dispute resolution form and an acquirer dispute resolution form to be selected by a user having issuer access right (*see paragraphs 431, 542, 545*). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Isreal et al's invention to include Atsmon et al's a system comprising a issuer dispute resolution form and an acquirer dispute resolution form to be selected by a user having issuer access right because this would have ensured the proper forms are selected by the user.

11. As per claim 48, Isreal et al teach a method of retrieving at least one stored file; and attaching the file to the one of at least one of the Issuer forms and Acquirer forms (*see paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151*).

12. As per claim 49, Isreal et al teach a method comprises at least one of Retrieval Request, a First Chargeback and a Final Chargeback, and the Acquirer forms comprises at least one of a

Fulfillment and a Second Presentment (*see paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151*).

13. As per claim 50, Isreal et al teach a method comprising selecting, by the Acquirer, a second template from the predetermined set, and manually inputting into the second template information responsive to the first issuer form to thereby generate a first acquirer form; and, electronically transmitting the first acquirer form from the Acquirer to the Issuer (*see paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151*).

14. As per claim 51, Isreal et al teach a method executed in a network computer system for facilitating communication between an Issuer and an Acquirer in the context of resolving a post-transactional dispute, wherein the dispute is between the Issuer and the Acquirer and the dispute is related to an executed credit transaction between a cardmember and a merchant, the executed credit transaction involving a cardmember's transaction card, the network computer system having a server and at least one access terminal, the method comprising accepting at the server a User ID and password from the Issuer at a first access terminal, retrieving from the server a pre-defined set of Issuer dispute handling forms having pre-defined content which coincide with the User ID; displaying the pre-defined set of Issuer forms at the first access terminal, selecting, by the Issuer, one of the pre-defined set of Issuer forms at the first access terminal; receiving input entered on the selected one of the Issuer forms at the first access terminal', transmitting within the network the one of the Issuer forms to the Acquirer in dispute with the Issuer', notifying the Acquirer at a second access terminal of the one of the Issuer forms; accepting at the server a User

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ID and password from the Acquirer at the second access terminal', retrieving from the server a set of Acquirer dispute handling forms having pre- defined 'content which coincide with the Acquirer User m; displaying the set of Acquirer forms at the second access terminal; selecting, by the Acquirer, one of the Acquirer forms at the second access receiving input entered on the selected one of the Acquirer forms at the second access terminal; transmitting within the network the one of the Acquirer forms to the Issuer; and, notifying the Issuer at the first access terminal of the one of the Acquirer forms (*see paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151*). Isreal et al fail to teach a system comprising a issuer dispute resolution form and an acquirer dispute resolution form to be selected by a user having issuer access right. However, Atsmon et al teach a system comprising a issuer dispute resolution form and an acquirer dispute resolution form to be selected by a user having issuer access right (*see paragraphs 431, 542, 545*). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Isreal et al's invention to include Atsmon et al's a system comprising a issuer dispute resolution form and an acquirer dispute resolution form to be selected by a user having issuer access right because this would have ensured the proper forms are selected by the user.

15. As per claim 52, Isreal et al teach a method of retrieving at least one stored file from the server; and attaching the file to the one of at least the Issuer forms and Acquirer forms (*see paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151*).

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16. As per claim 53, Isreal et al teach a method of receiving at the second access terminal at least one scanned document computer readable format storing the scanned document on the server; and attaching the scanned document to one of the forms (*see paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151*).

17. As per claim 54, Isreal et al teach a method of accepting at the server a User ID and password from a third-party user at a third access terminal, retrieving from the server a set of reports which coincide with the third-party user ID displaying the set of reports at the third access terminal, and receiving instructions from the third party user to transfer monetary liability to at least one of the issuer from the Acquirer and the Acquirer from the issuer (*see paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151*).

18. As per claim 55, Isreal et al teach a method comprises matching the User ID and password with information stored in a database accessible to the server (*see paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151*).

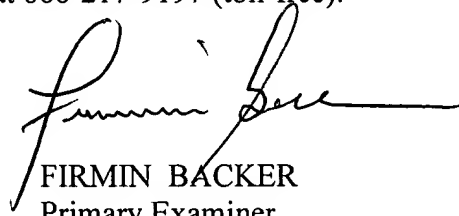
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FIRMN BACKER whose telephone number is 571-272-6703. The examiner can normally be reached on Monday - Thursday 9:00 AM - 5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



FIRMIN BACKER
Primary Examiner
Art Unit 3621

September 4, 2006